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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,550	03/29/2004	Nobuko Yamamoto	00862.023526

5514  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112CONFIRMATION NO. 1679  
FORMALITIES  
LETTER

Date Mailed: 10/02/2006

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES***Filing Date Granted*

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

See the attachment.

**Applicant Must Provide as part of the response:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>

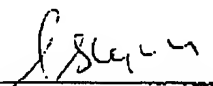
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

# OIPE ROUTING SHEET APPLICATION

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IFW DocCode - SEQREQ

Index using Current Date

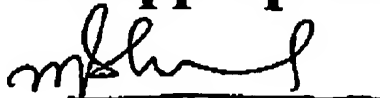
**10/810,550**

**TO BE DELIVERED TO:**  
**Tech Center Scanning**

## Sequence Rule Compliance Review Item

<b>X</b>	CRF, paper copy of sequence listing are missing one or more sequences.
	CRF, paper copy of sequence listing, and statement that both are same missing
	CRF contains error(s) according to STIC Report
	CRF damaged or unreadable according to STIC Report
	CRF transferred from prior application is not compliant

**Place an "X" in the appropriate box**



RAM R. SHUKLA, PH.D.  
SUPERVISORY PATENT EXAMINER

**Comment Sheet**

**APPLICATION SERIAL NUMBER**

**10/810,550**

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES.**

**- Numerous sequences in the specification  
do not have required corresponding SEQ  
ID Nos (see, e.g., pages 32-37, 40-45, 49-53).**

NOV 02 2006

**FITZPATRICK, CELLA, HARPER & SCINTO**650 Town Center Drive  
Suite 1600  
Costa Mesa, California 92626-7130  
(714)540-8700

Facsimile:(714)540-9823

**FACSIMILE COVER SHEET**

<b>TO:</b>	Mail Stop Missing Parts U. S. Patent & Trademark Office		
<b>FROM:</b>	Damond E. Vadnais, Reg. No. 52,310		
<b>RE:</b>	U.S. Application No. 10/810,550 Atty. Docket No.: 00862.023526.		
<b>FAX NO.:</b>	(571) 273-8300		
<b>DATE:</b>	November 2, 2006	<b>NO. OF PAGES:</b>	8 <small>(including cover page)</small>
<b>TIME:</b>	6:52 P.M.	<b>SENT BY:</b>	LS

**MESSAGE****Attachments:**

- 1) Response to Notice to Comply with Requirements
- 2) Copy of Notice to Comply with Requirements

**Certificate of Transmission**I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office on:November 2, 2006  
Date

Signature

Damond E. Vadnais, Reg. No. 52,310  
Name of person signing certificate

**Note:** We are transmitting from a Canon Model FAX-L770  
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

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00862.023526.

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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: )  
NOBUKO YAMAMOTO, et al. )  
: )  
Application No.: 10/810,550 )  
: )  
Filed: March 29, 2004 )  
: )  
For: INFECTIOUS ETIOLOGIC )  
AGENT DETECTION PROBE :  
AND PROBE SET, CARRIER, )  
AND GENETIC SCREENING :  
METHOD ) November 2, 2006

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE  
TO COMPLY WITH REQUIREMENTS


Sir:

This is in response to the October 2, 2006 Notice to Comply with  
Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid  
Sequence Disclosures. A copy of the Notice is enclosed.

## Certificate of Transmission

I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office on:

November 2, 2006  
Date

  
Signature

Diamond E. Vadnais, Reg. No. 52,310  
Name of person signing certificate

According to the attachment to the Notice ("OIPE Routing Sheet"), the computer readable form (CRF) copy and paper copy of the Sequence Listing are missing one or more sequences. However, Applicants respectfully submit that the CRF copy and paper copy submitted with the application contain all the sequences disclosed in the application. The sequences from Tables 12 to 41 (pages 32 to 37, 40 to 45, and 49 to 53) are listed in the Sequence Listing as SEQ ID Nos: 1 to 106.

In this regard, the sequences from Tables 12 to 41 are the same as the sequences from Tables 1 to 10 (pages 15 to 20). For example, probes PA-1 to PA-9 from Table 12 are also listed in Table 1. As shown in Tables 1 to 10, and as described at page 8, lines 10 to 22, the sequences are identified as SEQ ID NOs: 1 to 106.

Accordingly, Applicants respectfully submit that the Sequence Listing is in compliance, and as such, withdrawal of the Notice is respectfully requested.

It is further submitted that any remaining issues regarding the use of sequence identifiers in the specification should be handled by the Examiner to whom the application is assigned and not by the Office of Initial Patent Examination. See MPEP § 2421.03.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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Damond E. Vadnais  
Attorney for Applicants  
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
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